



UPPER UWCHLAN TOWNSHIP
BOARD OF SUPERVISORS
CONDITIONAL USE HEARING

March 23, 2015

7:15 p.m.

Approved

In Attendance:

Kevin C. Kerr, Chairperson
Guy A. Donatelli, Vice Chairperson
Catherine A. Tomlinson, Supervisor
John Good, Esquire
Cary B. Vargo, Township Manager

Gwen A. Jonik, Township Secretary
David Leh, P.E., Gilmore & Associates
John DeMarco, Township Police Chief
Mark Hagerty, Court Stenographer

Kimberly Freimuth, Esquire
Levin Czubaroff, Esquire
Robert Kagel, Director of Emergency Services
John Melham
Robert Heath, P.E.
Devin Guth

The Hearing was held at the Township Building, 140 Pottstown Pike, Chester Springs, PA 19425.

Mr. Kerr called the Hearing to order at 7:15 p.m., led the salute to the flag, and asked John Good, Township Solicitor, to conduct the Hearing. Mark Hagerty, Court Stenographer, recorded the proceedings.

Mr. Good summarized the Conditional Use Application filed by the Chester County Department of Emergency Services, seeking conditional use approval to erect a public emergency services telecommunications tower in the Limited Industrial (LI) District, specifically on Fellowship Road. Mr. Good entered into the Record the following Board of Supervisors' Exhibits:

- B-1 Conditional Use Application submitted February 11, 2015, including Plans and photographs
- B-2 Proof of publication
- B-3 Posting of Property
- B-4 Planning Commission March 12, 2015 Meeting (Draft) Minutes
- B-5 Geotechnical Report prepared by Advantage Engineers, revised November 25, 2014
- B-6 Gilmore & Associates' Review Letter dated February 23, 2015
- B-7 Brandywine Conservancy's Review Letter dated March 3, 2015
- B-8 Waiver Request Letter prepared by Melham Associates, dated March 9, 2015

Mr. Good explained the Hearing process, that following testimony by the Applicant(s) and their expert witnesses, the Board of Supervisors and the Audience have an opportunity to ask questions. At the end of the Hearing, the Board of Supervisors and the Audience will have the opportunity to offer comments regarding the Application. Anyone wishing to become a Party to the Proceedings, which reserves their right to appeal the Board's Decision, should express that interest at this time. No one expressed interest.

Kimberly Freimuth, Esq., with Fox Rothschild, summarized the project – to upgrade the County-wide emergency communications system to provide 97% voice radio coverage (current 65%) – by constructing a 300', self-supporting tower with microwave dish(es) and antenna topping at 321' total, located next to the Route 100 wastewater treatment plant on Fellowship Road,

significantly improving the public safety voice radio coverage in Upper Uwchlan Township and surrounding communities. Ms. Freimuth distributed a binder containing the Applicant's Exhibits.

Ms. Freimuth called Robert Kagel, John Melham, Bob Heath, and Devin Guth to provide testimony regarding, respectively, County emergency response, site design, tower design, and public safety radio communication systems.

Ray Erfle of Churchill Road / Windsor Ridge and Spencer Levin of Garrison Drive / Windsor Ridge were provided Exhibit binders to help them follow along.

Board members, Mr. Erfle, Mr. Levin, and Mr. Minahan asked questions. Mr. Good accepted the Applicant's Exhibits. Mr. Erfle distributed a list of questions and comments; Mr. Levin offered comments.

Mr. Good closed the Hearing at 8:55 p.m., and explained that the Board's vote/Decision on this matter must take place at a Board of Supervisors Meeting. It was announced that the vote/Decision on the Conditional Use Application, as well as Land Development approval for the project, would take place at the Board of Supervisors' April Workshop, scheduled for Tuesday, April 14, 2015, beginning at 4:00 p.m.

Mr. Kerr adjourned the Hearing at 9:00 p.m.

Respectfully submitted,

Gwen A. Jonik
Township Secretary